

**\.SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

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JEFFREY SIMPSON, individually and derivatively, as
managing member of JJ ARCH LLC, suing derivatively as
managing member of ARCH REAL ESTATE HOLDINGS
LLC, and JJ ARCH LLC,

Index No.: 158055/2023

Hon. Joel M. Cohen J.S.C

Plaintiff(s),

-against-

Jared Chassen and First Republic Bank,

Defendants.

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JARED CHASSEN, individually and derivatively on
behalf of JJ ARCH LLC, as member, and derivatively on
behalf of ARCH REAL ESTATE HOLDINGS LLC, as
member of JJ ARCH,

Counterclaim Plaintiff,

-against-

JEFFREY SIMPSON and YJ SIMCO LLC,

Counterclaim Defendants,

-and-

JJ ARCH LLC and ARCH REAL ESTATE HOLDINGS LLC,

Nominal Defendants.

-----X
608941 NJ, INC.,

Plaintiff,

-against-

JEFFREY SIMPSON, JJ ARCH LLC and ARCH REAL
ESTATE HOLDINGS LLC,

Defendants,

-and-

ARCH REAL ESTATE HOLDINGS LLC,

Nominal Defendant.

-----X
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

*** Although it appears as if Simpson is the plaintiff, in this case given the due process over the past year, the caption doesn't reflect that Simpson in the actual current time is the defendant**

NOTICE OF FILING OF NOTICE OF REMOVAL

TO: THE CLERK OF COURT OF THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF NEW YORK, ALL PARTIES OF RECORD AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, on the 20th day of March, 2025, the attached Notice of Removal of the above-captioned action from the Supreme Court of the State of New York, County of New York, to the United States District Court for the Southern District of New York (the “District Court”), was filed with the Clerk of the District Court pursuant to 28 U.S.C. §§ 1331, 1441 and 1446. A true and correct copy of the said Notice of Removal is attached hereto in accordance with 28 U.S.C. § 1446(d) as Exhibit A.

URGENT AND EMERGENCY RELIEF SOUGHT

Attention Justice Joel Cohen of the NYS Court, Part 3

Given the urgent change in circumstances, I am left with no choice but to remove this Action and the related Actions to the Federal Court. Those changes include (but not limited to) Mr. Chassen (my former partner) admitting guilt of larceny / theft of my business (AREH and JJ Arch) on behalf the passive Canadian equity partner, Oak. There were immediate impacts as a result of this that justify the removal. In addition, I filed a Chapter 11 case to protect my various investments (via the entity YJ Simco LLC) that are related to AREH and JJ Arch and those that are not. The counterparties will use any maneuver they can to avoid dealing with the truth surrounding the circumvention that has occurred that is improper. The NYS Court cannot see how my constitutional rights have been stripped away from me for over 18 months, but the most recent events are mind blowing. I am confident that the Federal Court will investigate (via expedited discovery and testimony) and explore what has happened in this disastrous situation, specifically

how my opposition and the NYS Court have ganged up on me for being an honest individual that has the highest level of integrity and stands behind the truth and the contractual obligations that I agreed to, where the others hide behind lawyers that are full of trickery, perjury, and anything that will stick to hurt me (maliciously).

As this Court is aware, I am struggling to cover capital expenditures for anything in my livelihood including my various businesses and personal obligations as a result of the horrific Action that has taken place in this Court against me, without merit. It is an attack on my character, my self being and absolutely has Civil Rights implications. The details will be contained in the Exhibit, and I am sure the issues will be handled appropriately in the Federal Court.

Forgive my directness in not addressing the Court through counsel but the purpose of this letter is to express serious concerns about the handling of the referenced NYS actions and it must be done via Pro Se as I am a direct defendant in the various actions. It is difficult to understand how a Court can override executed contracts that govern a privately held business. Most notably this Removal action will illustrate how the parties started claims against me in the Federal Court while also funding dueling claims in NYS Court. On the most recent decisions of the NYS Court, there is no standing but for reasons that are frankly injustice (Motion practice), the Court doesn't take into consideration Chassen's testimony of February 25, 2025 (which are not only an admission to guilt of theft (NYS Penal code, Article 155) , collusion and the like, but render his actions moot since he has no standing given his contractual resignation in August of 2023. The same Court which awarded me an Injunction against this individual for these acts a year and half before (no bond / no appeal) but it took that long and hundreds of thousands of dollars of legal bills to get his few minutes of testimony. This is frankly a circus, not due process.

The contractual documents (AREH and JJ Arch) clearly outline the extremely limited roll and responsibility of -Oak, the 20% minority / non-controlling member and seed equity investor / loan guarantor ; since the Court gave them temporary control of AREH (operating company only) this role and responsibility have not been upheld. Similarly, Chassen as a junior JJ Arch Member with no rights since 2021 and inexistent effective August 4th, 2023 (per his admission to this Court of working for someone else, Oak, against his contractual agreement with me and this renders him resigned). Both these documents and testimony from Mr. Chassen have been ignored including the Court's words regarding Mr. Chassen of "extra illegal activity" . The proceedings and decisions made by the Court appear to be influenced by its view of business style rather than by the facts, my constitutional rights and due process.

This Court has demonstrated extreme bias against me, failed to uphold due process, and improperly intervened in my business affairs. While I am not an attorney it has been my understanding that the general legal principle is that courts are obligated to enforce contracts as written, provided they are clear, unambiguous, and not the result of fraud, mistake, or unconscionability. The executed contracts were drafted and reviewed by seasoned, experienced attorneys, reviewed by all parties and legally binding and enforceable. Another notable point is that various related entities are Delaware entities with Delaware law, a consideration when venue is considered for a complex litigation of this magnitude.

My company's (AREH and JJ Arch) governing documents were deliberately designed to provide me with control, ensuring efficient decision-making. The creditors didn't see anyone else as a control party either, as they noticed us (the Court disregarded). Despite this, the Court has repeatedly undermined these binding and executed agreements, disregarding my contractual rights. The contracts also include specific language regarding my legal protection via indemnification and

insurance; this too has been ignored or dismissed. On the witness stand, Chassen admitted that there was a strategy put in place (in collusion and solicitation by him and Oak) to “**protect**” the company which would therefore OUST me from it. Chassen has no right to oust me from a company in which he has resigned from (JJ Arch and had no consent rights since May of 2021 per the Amendment). First and foremost, Chassen admitted on the witness stand, under oath, on 2/25/25 that “**I do not work for Simpson**” and that he received compensation from Oak. As it was said on the witness stand, Chassen was asked by Mr. Lorenc (counsel for me and JJ Arch) “Since August 2023 have you received any consideration paid to you by Oak and/or its affiliates and/or its members?” Chassen replied “While I was controlling JJ Arch, I was taking a draw, maybe 50,000, 75,000 less than what my salary was before this happened.” Here is testimony that Chassen resigned per the JJ Agreement in August 2023 the moment he took compensation from Oak. This automatically shuts down any and all Standing for pursuits in NYS Court, but the Court doesn’t seem to recognize this and tries to hide behind a Court Order that does not deal with this issue.

I filed bankruptcy protection for JJ Arch, it was dismissed on bad faith, which is unconscionable and that is because the SDNY Court relied on the NYS Court for guidance on the corporate control issues. There was no corporate control issue, Chassen explicitly had no consent rights for 4 years. This very Court literally told us in the first transcript that “Chassen had virtually no control since 2021). This was crystalized and that also changes the narrative for the Bankruptcy dismissal as well as the actions taken against me for filing a much needed bankruptcy. There is an active appeal on this issue in SDNY under Judge Vargas, there is a fair chance that until disposal of that appeal, the NYS action has no jurisdiction over the case. I alerted the SDNY and NYS Courts to this in December of 2024, no response of merit was issued. This letter will be exhibited herein.

During this Bankruptcy, the opposition runs to this Court to file an improper Action under a separate case number in their hopes that this biased Court will aid them with the possibility that the truth my

come out about their fraudulent conveyances of real property and circumvention of consent. The JJ entities not only are a direct correlation to JJ Arch but my shares were transferred to YJ Simco in 2022. It appears that this Court violated the Stay during the JJ Arch Bankruptcy, it seems that it is willing to do the same in the YJ Simco chapter filing .

I am now faced with the bankruptcy of my family business entity, YJ Simco LLC, where it has several emergency foreclosures threatened by creditors. All has cause and effect in this Action.

Additionally, YJ Simco was a named defendant and as soon as the counterparties saw that the chapter filing occurred, they withdraw their claims there but left them on another action (which is also improper). NYS Court doesn't see the malicious intents on this either.

Additionally, my D&O insurance provider has denounced (unofficially) coverage based on this Court's biased remarks, further prejudicing me and negatively impacting my ability to obtain counsel to defend myself in this horrific circumstance. This is after the carrier approved and provided defense coverage but after Chassen makes a competing claim 6 months after me (double dipping, insurance fraud – he had received funds from Oak, verified on the docket) and Oak sues the carrier on the same day, in the midst of the JJ Arch bankruptcy.

First Republic Bank (now JPM) removed me from both my personal and business accounts based on a malicious act via email from my former junior partner, Chassen, when this case started in August of 2023 . When on the witness stand Mr. Chassen was asked “did you have Mr. Simpson removed from the accounts at First Republic?” and Mr. Chassen replied “yes.” Furthermore he admits that he stole the bank accounts by demanding J.P.Morgan to do what they did . Despite efforts to subpoena the bank, the court appeared sympathetic to the bank's position rather than addressing the serious misconduct involved. It is my understanding that Your Honor represented

large banks in your career at Davis Polk. This may be incorrect, but sources have shared this fact, which will present a biased ruling.

Several key witnesses failed to appear at the recent evidentiary hearing, and individuals that aided and abetted Chassen, such as Michelle Miller and Jason Paul have actively avoided accountability. The resulting lack of testimony prevented a fair review of critical facts. The witnesses likely found the potential \$50 fine to be inconsequential. If the Judge believed their testimony was necessary, why were they not properly compelled to attend to provide their statements in Court? If the witnesses have nothing to hide, why have they avoided to appear before Your Honor? Over 18 months, only a single deposition (of me where I was harassed for over 8 hours on video camera with 5 lawyers attacking). No discovery of merit. The NYS Court allows for Motion practice to drive the litigation rather than the merits including accepting that Discovery and Testimony is optional to my detriment to defend myself. Again, my constitutional rights have been violated.

After the sudden JJ Arch bankruptcy dismissal (on Erev Yom Kippur of 2024) my lawyers ditched me and I had to appear pro se. Gaining counsel has been extremely challenging. After some limited success, I have been forced maintain an attorney in an emergency, against my wishes due to the court's intervention. The Court requires this attorney to stay on the case regardless if he wishes to. This too is unheard of.

The same Court that has written multiple Orders that contradict SDNY in both District and Bankruptcy Court. No lawyers understand how NYS Court can do this.

Your Honor has explicitly said in the Court room that he doesn't like me, that is not acceptable from my research. Your Honor has praised the lawyers for the counterparties, also not acceptable from my research. Your Honor informed me that I needed to come to Court without counsel, if that was

the circumstance (even when absurd criminal allegations were made). This evening, the counterparts are asking to incarcerate me (again) which is beyond imaginable for their illegal acts. I have notified the FBI, DOJ, NYS AG, NYC AG, NYPD, and NYS Troopers of the crimes. My counsel, Robert Lorenc, has asked to withdraw twice, the Court denied the Motion. It is not that the lawyers do not want to work for me, it is this Court's inability to see past Motion practice (and have a death wish for me apparently) makes it "death by a thousand punches" as several lawyers referred to this unruly and unconstitutional practice.

The Court's handling of this case raises serious concerns about the NYS judicial overreach and fairness, all ground for Federal Court removal to assist with Constitutional breaches. Despite clear evidence of misconduct and violations of my rights, NYS Court has failed to uphold justice. I believe this Court's continued involvement is improper, and I have respectfully reminded you of the bias treatment and even suggested recusal of yourself to ensure fairness and impartiality. This too was ignored. This case was actually started in a Federal Action by Oak in SDNY and as soon as they pronounced their working relationship with Chassen, they were actively pursuing me in two forums simultaneously. NYS Court was made aware of this and brushed it off without validity. I don't need to remind this Court but when an action starts in Federal Court (or it would have been heard in Federal Court) , it can be removed and that is what I am doing herein, effective now.

These are not issues for an Appeal, Emergency Federal Court intervention is required. This relief is consistent with the brief that I filed on December 29th, 2024.

I hereby notify the NYS Court that I have started and will continue the process of Removal of the various cases to the SDNY (Pro se, no access to ECF). I am hopeful that due process is properly upheld by allowing the "constitutional court" to review these ongoing concerns without bias and with required fairness under US law.

Respectfully submitted,

/ s / Jeffrey Simpson, as Pro Se

CC:

Hon. Lisa G. Beckerman, Federal Judge on the YJ Simco LLC matter

Beckerman.chambers@nysd.uscourts.gov

Hon. Andrew L. Carter Jr., Federal Judge on a related matter that was ultimately dismissed by Oak.

ALCarterNYSDChambers@nysd.uscourts.gov

Hon. John P. Mastando III, Federal Judge on the JJ Arch Chapter 11 filing

JPM.chambers@nysd.uscourts.gov

Hon. Jeannette A. Vargas, Federal Judge on the JJ Arch bankruptcy absention appeal.

vargas@justice.gov